

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

v.

Case No. 13-cv-14695
Hon. Matthew F. Leitman

CARMEN D. PALMER,

Respondent.

/

**ORDER DIRECTING PARTIES TO BE PREPARED
TO ADDRESS ISSUE OF WHETHER COURT SHOULD RECUSE**

On March 10, 2025, the Court will be conducting a hearing on Petitioner's Omar Rashad Pouncy's Motion for an Indicative Ruling. That motion is pending in the habeas action before this Court.

Pouncy is a party to a second case before this Court: a criminal case in which he is accused of committing several crimes in connection with his presentation of his habeas claims in this action. *See United States v. Pouncy*, Case No. 23-20262 (the "Criminal Case"). On February 11, 2025, Pouncy filed in the Criminal Case an emergency motion to disqualify all of the District Judges in the Eastern District of Michigan (including the undersigned) from presiding over the Criminal Case. (*See* Mot., ECF No. 180 in the Criminal Case.) In that motion, Pouncy argues that all of the District Judges must recuse themselves because of, among other things, actions

taken by the undersigned to report Pouncy's possible criminal conduct to the United States Attorney for the Eastern District of Michigan. (*See id.*) Pouncy also says in the motion that, in his view, it is likely that the undersigned will be called as a witness in the Criminal Case. (*See id.*)

Pouncy's contentions in the Criminal Case raise the question of whether the Court may properly continue to preside over this action. The Court will undertake its own review of the matter, as it must. The Court also directs the parties to be prepared to address the issue of whether the Court should recuse at the March 10th hearing.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: February 13, 2025

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 13, 2025, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
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